regulations.

VIII. IIA Also Recommends Limitations on the Use of "800" Special Access Codes for Toll Free Services Only and Record Retention

IIA believes that TDDRA provides adequate protections for consumer credit card sales while using "800" numbers to preclude the necessity of additional regulations by the FCC. At issue is whether the consumer has "authorized" the use of her credit card or has merely "informed" the operator of the number. To the extent that "authorization" involves disclosure of the number and permission to assess charges, ⁵⁰ IIA believes the parameters of TDDRA have been met. ⁵¹

IIA agrees with the Commission's proposal to specify record retention requirements regarding billing and collection disputes. Ultimately failure to do so may weigh against providers and carriers. Timetables specified by the FTC during which acknowledgment and resolution of disputed charges must occur could merge successfully with the proposals of this Commission to follow the 18-month record retention requirement imposed on common carriers under the rules.⁵² IIA agrees that billing entities should be granted the certainty to function as collection agents, not library resources for pay-per-call service histories.

Alternatively, the Commission could support the adoption of record retention

⁵⁰This is consistent with proposed sec. 64.1504(c)("discloses ... and authorizes a charge").

⁵¹ Recent introduction of credit cards by carriers, as well as telephone calling cards,

requirements similar to those imposed upon creditors under the Truth in Lending Act and Fair Credit Billing Act.⁵³ This also would add clarity to the expectation for companies with billing responsibilities. Either timeframe would be ample for the notice and processing guidelines already specified in the proposed rules of the FCC and FTC.

IX. Conclusion

For the foregoing reasons, IIA urges that the Commission take a broad view of the measures necessary to preserve the integrity of pay-per-call services and protect the interest of consumers. The public interest will best be served by regulations that create an environment that promotes consumer education, respect for the First Amendment and preserves the viability of the dynamic and diverse pay-per-call marketplace.

Respectfully submitted, INFORMATION INDUSTRY ASSOCIATION

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